EC-2
970234

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

AUG - 6 1997

Reply To
Attn Of: ECO-088

Dave Rittenhouse
Forest Supervisor
Boise National Forest
1249 South Vinnell Way, Suite 200
Boise, ID 83709

Dear Mr. Rittenhouse:

The Environmental Protection Agency (EPA) has reviewed the **Paradise Integrated Resource Management Plan** Draft Environmental Impact Statement (EIS) in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The draft EIS analyzes four alternatives (including a no-action alternative) for timber harvest activities in the Mountain Home Ranger District, Boise National Forest.

Based on our review, we have assigned a rating of EC-2 (Environmental Concerns-Insufficient Information) to this draft EIS. A rating and a summary of EPA's comments will be published in the Federal Register. EPA's primary concerns relate to: 1) potential impacts to water quality, 2) impacts to the Rainbow Roadless Area, 3) the need for information to support modeling methodologies, 4) the lack of grazing impact evaluation and 5) monitoring needs. Detailed comments elaborating on EPA's concerns about this project are enclosed. A copy of the EPA rating system is also enclosed for your reference.

We appreciate the opportunity to review this project and provide comments. If you have any questions about our comments, you may contact John Bregar at (206) 553-1984.

Sincerely,

Richard B. Parkin

Richard B. Parkin
Geographic Implementation Unit

Enclosures

U.S. Environmental Protection Agency
Comments on the Paradise Integrated Resource Management Project
Draft Environmental Impact Study

Water Quality

The state of Idaho has identified the following water bodies within the project area as being water quality limited on their 1994 303(d) list (i.e., not meeting applicable state water quality standards- pursuant to the Clean Water Act)-- Green Creek, Trinity Creek, and the South Fork Boise River. Sediments are the pollutant of concern listed for all three water bodies. In addition, the *Land and Resource Management Plan for the Boise National Forest* (Forest Plan) characterizes the land in the project area as having moderately-steep to steep slopes. Therefore, we are concerned with the increased potential for erosion and sedimentation impacts resulting from timber harvest activities in the project area to adversely impact water bodies that are already degraded.

According to Section 303(d) of the Clean Water Act (33 USC §1313), states are required to identify those waters for which effluent limitations set under the CWA are not stringent enough to assure that the waters meet the applicable water quality standards. The state also prioritizes the waters based on the severity of the pollution and the anticipated uses of the waters. This is the state's "303(d) list."[1] States then are to set the total maximum daily load (TMDL) for pollutants. The TMDL must be rigorous enough to "implement the applicable water quality standards with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality" (33 USC §1313(d)(1)(C)). The EPA stresses that any management activity on the Forest must not result in the degradation of 303(d) listed water bodies. The final EIS should provide a quantitative basis to judge whether physical and chemical parameters, such as temperature, turbidity, and sediment accumulation, will be kept at levels that will protect and fully support designated uses and meet Water Quality Standards under each of the action alternatives. The final EIS must clearly demonstrate that project implementation will comply with state Water Quality Standards.

Consistent with the federal regulations for implementation of the Clean Water Act, the Idaho general water quality standard and antidegradation policy is codified at 39-3601 Idaho code, *et seq*. It states:

The existing instream beneficial uses of each water body and the level of water quality

---

[1] All 303(d) designations should be documented in the final EIS; the state's identification of water bodies with impaired uses (listed in the state's 303(d) report), as well as the magnitude and sources of such impairment, should be included.

necessary to protect those uses shall be maintained and protected. Where the quality of waters exceeds levels necessary to support propagation of fish, shellfish and wildlife and recreation in and on the water, that quality shall be maintained unless the department finds, after full satisfaction of the intergovernmental coordination and public participation provisions of this chapter, and the department's planning processes, along with appropriate planning processes of other agencies, that lowering water quality is necessary to accommodate important economic or social development in the area in which the waters are located. In allowing such reductions in water quality, the department shall assure water quality adequate to protect existing uses fully. (39-3609 Idaho Code)

Section 39-3611 of the Idaho Code outlines the requirements for development and implementation of TMDLs (or equivalent process) for both point and non-point sources. According to the anti-degradation statute, the proposed activity is considered a new nonpoint source activity:

(13) "New nonpoint source activity" means a new nonpoint source activity or a substantially modified existing nonpoint source activity on or adversely affecting an outstanding resource water which includes, but is not limited to, new silvicultural activities...It does not include naturally occurring events such as floods, landslides, and wildfire including prescribed natural fire. (39-3609(13) Idaho Code)

The Idaho Code outlines restriction provisions for new nonpoint source activities on outstanding resource waters:

No person shall conduct a new or substantially modify an existing nonpoint source activity that can reasonably be expected to lower the water quality of an outstanding resource water, except for short-term or temporary nonpoint source activities which do not alter the essential character or special uses of a segment, issuance of water rights permits or licenses, allocation of rights, or operation of water diversions or impoundments. (39-3618 Idaho Code)

According to the Boise National Forest Plan (as cited on page 9 of the draft EIS), the South Fork Boise River's Wild and Scenic characteristics stem from its wildlife, fish and natural features; the draft EIS claims without explanation that "none of the proposed activites would affect the South For Boise River's free-flowing characteristics or the defined Outstandingly Remarkable Values..." The final EIS should reconcile any action alternatives which might impact the South Fork Boise River and state criteria under Idaho's anti-degradation policy.

The final EIS should specifically discuss which Best Management Practices (BMPs) and response measures would be utilized ensure compliance with CWA objectives, including the antidegradation policy. The final EIS should also detail monitoring procedures for the BMPs, potential impacts of possible BMP failure, and any additional or alternative methods of

eliminating adverse impacts.

Fisheries

Page 37 of the draft EIS cites as a need for the proposed action:

Forest Development Road (FDR) 156G ford crossing of Green Creek forms a barrier to upstream fish during lower water periods. The stream contains approximately 3 miles of fish habitat (draft EIS page 1)...The channel is now passable to migrating fish for only one to three weeks in the spring of the year.

In response to this need, the Forest Service has developed an extensive road modification and excavation plan for Green Creek which would return the stream to a near-natural state, allowing year-round fish passage. Unfortunately, this alteration is only proposed in conjunction with the proposed action alternative (Alternative 2). Given the dire state of fish passage at FDR 156G on Green Creek, we see the modification of the Green Creek ford to allow for improved fish passage as essential in meeting the requirements of Executive Order (EO) 12962, which directs all federal agencies to conserve, restore, and enhance aquatic systems to provide for increased recreational fishing opportunities nationwide. Consequently, we strongly recommend the incorporation of this restoration effort in all action alternatives.

Roadless Areas

We urge the Forest Service to use all viable options to leave roadless areas intact. Where feasible, EPA encourages the active pursuit of alternatives that do not enter roadless areas for the following reasons:

1) Roadless areas provide valuable, undisturbed habitat for wildlife which limits human intrusion.

2) Road construction in roadless areas results in habitat fragmentation and disruption of critical contiguous forested areas and its associated impacts.

3) Road construction in roadless areas contributes to increased road densities in undisturbed forests, resulting in adverse water quality/aquatic habitat impacts to pristine water bodies.

4) Roadless areas provide extremely important primitive, back-country recreational opportunities.

For these reasons, we hope that the Forest Service will consider implementation of Alternative 4's approach to entering roadless areas. If Alternative 4 is not selected, we

recommend that identification of other potential harvest sites outside of the roadless area, land exchange options, helicopter logging, horse logging or a combination of all be considered to limit impacts on the roadless area.

Modeling

Potential sediment delivery in helicopter and skyline units were determined (with 95% confidence) using the *Megahan-Ketcheson* sediment delivery model (Section 1.7.1.7, p. 10). Since there is not an appendix incorporated in the draft EIS which offers a description of the *Megahan- Ketcheson* model we recommend that the final EIS provide an explanation of the methodology and assumptions used in order to support the conclusions presented in the draft EIS.

Grazing

Grazing is one of several activities within the project area that merits consideration in the cumulative effects analysis (p.56). However, the relative impacts of grazing were not evaluated or explained. The discussions relating to variations between historical and present stand densities and the generally accepted causes of those variations (e.g., fire suppression, past timber management philosophies, drought, etc.), do not include grazing as a contributing factor. A study, entitled, *Effects of Livestock grazing on Stand Dynamics and Soils in Upland Forests of the Interior West*, by Dr. Joy Belskey and D.M. Blumenthal, was submitted to the Interior Columbia Basin Ecosystem Management Project and was published in Conservation Biology (April 1997). This study offers information related to high stand densities in ecosystems similar to the project area by comparing historical data depicting rangeland areas where fire suppression activities have and have not been exercised over long periods of time. In light of the fact that more than 70% of National Forest lands within MA-7 (16,700 acres within the Rainbow Roadless Area) are characterized as *suitable rangeland* (Forest Plan, pp. IV-137, C-59), and because grazing has historically played a major role in land use prescriptions on public lands, we recommend that the Forest Service review this study (which we have enclosed) and integrate its findings into the evaluation of proposed management options for the project area. This information should be included in the final EIS.

Monitoring

The monitoring requirements common to all action alternatives (DEIS page 25) were devised to: (1) recognize and mitigate log hauling activities with the potential for disturbing nesting eagles; and (2) determine the relative degree with which Landings #1 and #9 meet and maintain the visual quality standards along the South Fork Boise River corridor. Given the current status of water bodies within the project area that are listed as 303(d) segments of concern, and since there is a probability that the prescribed activities may negatively impact these water bodies in the short term (i.e., sediments, erosion, loss of riparian functions), we believe that a significant need exists for monitoring of watershed parameters as part of this

project in order to determine the efficacy of mitigation prescriptions as implemented.

U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections

The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonaby available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.